



**City Council
Regular Meeting
Tuesday, August 16, 2005
7:00 P.M.**

The regularly scheduled meeting of the Trinity City Council was held on Tuesday, August 16, 2005 at the Trinity Memorial United Methodist Church.

MEMBERS PRESENT: Mayor, Jimmy Shore; Council members Karen Bridges, Phil Brown, Barbara Ewings, Bob Labonte, Barry Lambeth, Dwight Meredith, Edith Reddick, and Miles Talbert.

MEMBERS ABSENT: NONE

OTHERS PRESENT: City Manager Ann Bailie; City Attorney, Bob Wilhoit; City Planning/Zoning Code Enforcement Administrator, Adam Stumb; City Clerk/FO, Debbie Hinson; City Engineers Randy McNeill and Jim Billups; Members of the Press; and other interested parties.

Call to Order

Mayor Shore called the August 16, 2005 Regular Meeting of the Trinity City Council to order at 7:00 pm.

Pledge of Allegiance

Council member Ewings led the Pledge of Allegiance.

Invocation

The invocation was given by Reverend Steve Welborn, from the audience.

Welcome Guest and Visitors

Mayor Shore welcomed and thanked all persons in attendance. He introduced Mr. Jim Billups from Anderson and Associates as well as Paul Kron, Planning Director for Piedmont Triad Council of Governments.

Review and Approval of Minutes

1. June 14, 2005 Pre-Agenda Meeting

Mayor Shore called for corrections, additions, or deletions to the June 14, 2005 Pre-Agenda Minutes.

Council member Bridges made a motion to approve the minutes as written. The motion was seconded by Council member Talbert and approved unanimously by all Council members present.

2. June 21, 2005 Regular City Council Meeting

Mayor Shore called for corrections, additions, or deletions to the June 21, 2005 Regular Minutes.

Council member Ewings made a motion to approve the minutes as written. The motion was seconded by Council member Brown and approved unanimously by all Council members present.

3. July 12, 2005 Pre-Agenda Meeting

Mayor Shore called for corrections, additions, or deletions to the July 12, 2005 Pre-Agenda Minutes.

Council member Meredith made a motion to approve the minutes as written. The motion was seconded by Council member Ewings and approved unanimously by all Council members present.

Proclamations/Recognition

4. Recognition of Paula Peace for Service on Planning & Zoning Board

Mayor Shore read the Proclamation for Ms. Peace.

Public Concerns and Commendations*

NONE

Public Hearings**

Prior to opening the Public Hearing Section, Mayor Shore reviewed the process for Public Hearings as indicated on the Agenda.

- 5. Rezoning Request #Z05-04, to Rezone Properties Located At 7051, 7049, 7043, 7041, 7060, 7058, 7044, 7042, 7034, 7032, 7024, 7020, 7014 and 7010 Regalwood Ct. and 4221 & 4219 Regalwood Dr. and 4716, 4718, 4708, 4710, 4696, 4698, 4688 and 4686 NC Hwy 62, Further Identified As Randolph County Tax Parcel Numbers 6797224446, 6797221363, and 6797223287. The Request is to Rezone The Properties From RM (Residential Mixed) to HC (Highway Commercial). Property is Owned By Gary & Brenda Loflin.**

Mayor Shore opened the Public Hearing and asked Mr. Stumb to brief Council.

Mr. Stumb advised Council this request was to change properties read by Mayor Shore from Residential Mixed to Highway Commercial. The intended use is to convert the existing buildings (approximately 14 duplexes) from a residential use to either Office/Institutional use such as a dentist or accountant or to some type of small retail. There are 10 buildings on the corner lot and 4 on the rear along Regalwood Court. The said property is currently zoned Residential Mixed. The other corners located at Highway 62 and Finch Farm and corners to the north of this property are zoned Highway Commercial. The Land Use Plan currently in place designated this area as Residential Mixed and Medium Density Residential. The area that is already residential more than likely will stay that way due to changes, availability of sewer and the growth in this area. When the new Land Use Plan is developed I believe a better choice for this property would be Highway Commercial. The idea for units currently at this location is to convert them into office type use and to upgrade similar to picture shown on power point as dictated by need.

Mayor Shore opened the Public Hearing to anyone who wished to speak in favor of the request.

Speaking for the Request:

Gary Loflin, Trinity- I am the property owner requesting this rezoning. I came to the city and expressed my intention to convert the building shown for my office. Since this was a duplex, there were 2 locations and I only needed one office. We are not making any changes to any other buildings at this time. In order for me to rent the other side of this unit there had to be a zoning change. During conversation with staff we felt this area would be zoned Highway Commercial in the future. The balance of the units will remain apartments unless there is a request to add additional space. In that case renovations to additional buildings would be considered as they become vacant.

With no one else speaking for this request, Mayor Shore opened the item to anyone who wished to speak against the request.

Speaking Against the Request:

None

Hearing none, Mayor Shore called for staff recommendation for this item.

Mr. Stumb advised members that the Planning /Zoning recommended approval for this request. Staff is not opposed of the rezoning for the corner with 10 units. This area definitely needs to be rezoned. The only hesitation staff has

pertains to the 4 units in the back since this will leave residential mixed in this area. The owner of the corner lot in this area was at the Planning/Zoning meeting and was not opposed to the rezoning.

Council members discussed the current type of units located at the site described, staff's recommendation not to rezone the back row of (4) units to Highway Commercial, and what affect this would have on the residential property in this area since revaluation is currently taking place. How will this effect tax values for the residential homes in this area?

Mr. Stumb discussed the corner lots and the residential area that abuts this property as the justification for staff's recommendation **not** to rezone the (4) units being discussed. However, with proper screening this could probably work out. If these units were strictly Office/Institutional use and the required screening, landscaping, and fencing were installed there would not be as many problems with the use of such offices from 8:00 to 5:00 and traffic and noise would be less than that of a truck stop which would be allowed in Highway Commercial Zoning that is being requested.

Mayor Shore closed the Public Hearing and opened the item for discussion and or motion from Council.

There was a brief discussion between Council members and Mr. Stumb regarding staff's recommendation and opposition to rezoning all properties as requested. Mr. Stumb advised members that staff's opposition was the residential area that abutted the rear of the proposed property. If this was strictly Office/Institutional that allowed a business such as an architectural firm, staff would have no opposition to the request as presented. However, Highway/Commercial would allow a business such as a Restaurant that will have an impact on the residential neighborhood located on the properties identified by staff for rejection of this request.

After a brief discussion, *Council member Talbert advised Board members that he attended the Planning/Zoning Meeting when this case was heard and there were no strong objections to this request. Council member Talbert made a motion to approve the rezoning as requested seconded by Council member Ewings and approved 7 to 1 with Council member Bridges voting Nay.*

6. Amendments to the Zoning Ordinance (Design Standards For Multi-Family Residential Development; Height Limitations For Multi-Family Development; and Special Use Permit Requirement For Multi-Family Development).

Mayor Shore opened the Public Hearing and called on Mr. Stumb to brief Council members regarding this item prior to opening the floor to comments.

Mr. Stumb advised Council that these changes applied to all Multi-Family districts consisting of Residential Mixed, and Multi-Family Residential, as well as Trin-Thom. It will also apply to all types of Multi-Family that includes apartments, condominiums, and townhomes.

Design Standards

Includes landscaping along property lines, especially residential property and along any street frontage, traffic analysis and proposed plans to mitigate any congestion caused by new development, lighting plans to mitigate any light pollution on adjoining property owners, especially residential properties.

Building Heights

This section defines building heights allowed in these districts. There will be a decrease in the height of Multi-Family development from fifty (50) feet to **thirty five (35) feet not to exceed two (2) stories.**

Watershed Ordinance

The changes to the Watershed Ordinance allow multi-family development to request a special intensity allocation up to thirty (30) percent built upon area. This will be considered on a case by case basis by the Board and is not an automatic allocation.

Rezoning Process

By limiting the uses in all Multi-Family districts to Special Uses will require the submission of a Special Use Permit request in addition to a rezoning request. And, as procedure requires when a Special Use Permit is requested, a site plan must be submitted as well.

Mayor Shore opened the Public Hearing to anyone who wished to speak for the request. Hearing, none, Mayor Shore opened the Public Hearing to anyone who wished to speak against the request. Hearing none, Mayor Shore called for staff recommendation from Mr. Stumb.

Staff Recommendation- The Planning/Zoning Board voted to recommend approval of the request. Staff recommends the changes with an additional request to consider incorporating once the City completes the Land Use Plan. As areas are designated for Single- Family and higher density development, we suggest the addition of a separate Zoning District for Multi-Family that would allow three (3) story units.

Council members discussed their desires and reasons to limit building in the Multi-Family districts to two (2) story units at this time. They discussed how the Long Range Plan could be used to possibly identify areas that could be used for some three (3) story units. However at this time it was the desires of Council to limit the height to 35 feet and for buildings not to exceed two (2) stories.

Mayor Shore closed the Public Hearing and called for further discussion and or motion from Council.

Council member Bridges made a motion to accept the Amendments to the Zoning Ordinance as presented, seconded by Council member Lambeth and approved unanimously by all Council members present.

7. Amendments To Watershed Ordinance (Consider Allowing Special Intensity Allocations Of Up To Thirty Percent (30%) Built Upon Area For Multi-Family Development)

Mayor Shore opened the Public Hearing and asked Mr. Stumb to brief Council on this item.

Mr. Stumb advised Council that previously Multi-Family development allowed 24% built upon area. This change would allow the developer the opportunity to request additional allocation up to 30% or up to and additional six (6%) percent. This will not be an automatic allocation and the developer would be required to request the additional allocation from both the Planning/Zoning Board and City Council.

Mayor Shore opened the Public Hearing to anyone who wished to speak for the request. Hearing none, Mayor Shore opened the request to anyone who wished to speak against the request. Hearing none, Mayor Shore called for staff recommendation.

Staff Recommendation - Both the Planning/Zoning Board and staff recommend approval to allow the developer to request additional allocation up to 30% (additional 6%) from the current set 24% built upon area to possible 30% built upon area at the discretion of the Planning/Zoning Board and City Council.

Mayor Shore Closed the Public Hearing and opened the floor to Council for discussion and or motion.

Council member Talbert moved to make a motion to approve the request as recommended seconded by Council member Ewings and approved unanimously by all Council members present.

Unfinished Business

None

New Business

8. Request By Faith Baptist Church (Located Within Trinity City Limits) To Tap Into Randolph County Schools' And City Of Archdale's Sewer Systems.

Mayor Shore opened this item and asked for Mr. Paul Guthrie to discuss this request with Council.

Paul Guthrie: 4701 Colonial Circle, Trinity: Mr. Guthrie advised Council that he was here representing Faith Baptist Church and their request to be allowed to tap into the pressurized line leading from Trinity High School. We are requesting that our waste be allowed to discharge to the City of Archdale until Trinity makes sewer available to our area. The City of Archdale and the Randolph County Board of Education has given their approval on this request. Two (2) engineering firms have confirmed that this will work without problems. We respectfully request that you enter into an agreement to allow us to transport sewer to Archdale until sewer service is available from the City of Trinity. We would appreciate your help by approval of this agreement.

Mayor Shore read aloud the proposed agreement that specified the terms of approval.

City Engineer, Randy McNeill advised Council the analysis for this request was very feasible and was allowed by other municipalities throughout the state.

After a brief discussion concerning how this system would work, ***Council member Talbert moved to make a motion for the City of Trinity to approve the connection as requested by Faith Baptist Church, seconded by Council member Lambeth and approved unanimously by all Council members present.***

9. Trinity Land Development Plan (update) (Paul Kron, Planning Director, Piedmont Triad Council of Governments

- **Approve Process for Making Appointments to Land Development Plan Advisory Committee**

Mayor Shore opened the item and turned the discussion over to Mr. Paul Kron.

Mr. Kron began by reviewing Phase 1 of the contract. After review of Phase 1, Mr. Kron discussed the following maps:

MPO Thoroughfare Plans

This map indicates plans for areas where new roads will be located and would be helpful for future Land Use Plans.

Water Line Map

This map indicates the locations of water lines.

Gravity Line Sewer

This map illustrates a 15 year scheme for gravity sewer with pump station locations indicated in red except the CDBG which will route sewer to the City of Archdale. Another map shows the basins that in the future might be serviced with one (1) large pump station.

The next item reviewed by Mr. Kron was how the Plan would proceed as shown in Phase 2 (handout included illustrating all Phases). During this Phase an Advisory Committee will need to be formed. Manager Bailie has distributed a Memo (included) that suggests meeting dates and a process for making appointments to the committee.

At the end of Mr. Kron's review, Council members and Mr. Kron discussed how this map could be used to identify zoning issues. Mr. Kron advised members this document would not include zoning since this was a Land Use Plan. This plan identifies how the City is to grow and will become a good tool to use during rezoning requests.

There was also discussion concerning the ability to create and share this information via CD so that Council members would have this information available for review. Mr. Kron advised members that this would be part of the final document.

Attorney Wilhoit discussed the possibility of completing the information discussed concerning the GIS mapping sooner than indicated by the time lines for this project. Attorney Wilhoit explained that the school system was planning to build a new high school in this area. This information would be very helpful and important to them in exploring available properties that may be suited for this project. Mr. Kron advised Council and Attorney Wilhoit that the mapping section of this was almost complete. If there were no objections from Council, he would be glad to share the information.

At this time, Manager Bailie reviewed the process for appointment discussed by Mr. Kron. Manager Bailie suggested that volunteers be solicited similar to the Fire Task Force members. We could solicit through the city newsletter and local newspapers by applications. The applications would have check boxes where the applicant stated the categories they represented. We would set a deadline to receive applications. Once the deadline passed, staff would look at the applications received and make a recommendation to Council. Council would receive copies of all applicants as well as the recommendation of staff and would have the final decision in appointment to the Committee. Based on the schedule, the appointments would be made at the next meeting in September. The first meeting of the Advisory Board would be in October. "My request tonight is for Council's consensus or motion for me to continue with this formula as proposed or any other alternate means that you may want to utilize to move forward with selection and appointment of the Advisory Committee" said Manager Bailie.

After a brief discussion, ***Council member Lambeth made a motion to allow the City Manager to proceed as proposed by her and Mr. Kron, seconded by Council member Ewings, and approved unanimously by all Council members present.***

10. Adopt Fee Schedule

- **Planning & Zoning Fees**
- **Publication Fees**
- **Inspection Fees**
- **Sewer Fees**

Mayor Shore opened this item and turned discussion over to Manager Bailie.

Manager Bailie advised Council that she, Mr. Stumb, Mr. McNeill, Mr. Billups, Members of the Planning/Zoning Board and Members of the Utilities Committee have considered Inspection Fees and fees associated with sewer. They have come up with the Schedule of Proposed Fees provided to you (attached). The Inspection Fees are new. The reason for creating and having Inspection Fees is because of infrastructure consisting of roads, drainage systems and sewer systems that will be installed and will become the responsibility of the City. By adopting this fee schedule and providing inspections for additional infrastructure, the City will be insuring that what they take over is what they should be assuming responsibility for.

Mayor Shore asked who would be responsible for the fees charged for inspections done by Anderson and Associates.

Manager Bailie advised members that the developer would be responsible for paying the fees.

Mr. Billups advised Council that the prices shown on the chart would be the maximum his firm would charge for performing inspections. The developer will pay these fees as they get their permits for construction. "The city will use the monies collected to pay our fees. Our firm will commit to hold to the rate for inspections as indicated on this chart for the 1st year. At the end of the 1st year these fees will be subject for review", mentioned Mr. Billups.

Council member Labonte and Mr. Billups discussed how Mr. Billups' firm would perform inspections. Council member Labonte asked if Anderson & Associates would be inspecting the project engineer's work if the Certified Engineers Inspections were elected by the developer. Council member Labonte continued asking if his firm will give notice of when the inspection would be made. Mr. Billups advised Council that if the Certified Engineers Inspection option were elected and allowed, his firm would perform periodic inspections and would be involved in the final inspection. "During the course of construction we would also come out and make sure the engineer is there taking care of what needs to be done. Mr. Billups advised Council that his firm would work with the city regarding notification and will follow the city's feelings in regards to prior notification", Mr Billups added.

Mayor Shore called for a consensus of Council regarding their desire to adopt the Schedule of Fees in its entirety or if they wished to adopt the proposed fees separately. It was the consensus of Council for Manager Bailie to continue review and to consider adoption of the Fee Schedule as a whole.

Sewer Fees

The proposed change in Sewer Capacity Fees are to be increased from \$1.00 to \$3.00 per gallon based on Appendix A for all uses except single-family homes. The proposed fee for single-family homes is a flat fee of \$1,000.00. All other proposed changes in this section relate to language changes.

Tap Fees

This proposed fee was reviewed by the Utilities Committee and they recommended that when taps are installed by developers into the subdivision, they be charged only \$50.00 for administrative charges.

After a brief discussion, Mayor Shore called for a motion to adopt the Fee Schedules as reviewed.

Council member Talbert moved to make a motion to adopt the fee schedule as recommended by the staff, seconded by Council member Meredith and approved unanimously by all Council members present.

11. Appointment to Planning & Zoning Board

After Mayor Shore opened this item Manager Bailie advised Council members this vacancy occurred due to the resignation of Planning member Phillips whose term expires in December 2006. We received applications from Mr. Jim Wall and Mr. David Albertson. Mr. Albertson's application was not received until after the established deadline; however, we included this application.

Council member Brown suggested that the deadline for future appointments be set prior to Council's scheduled Pre-Agenda Meetings. This will give council members time to review and give consideration to all applicants.

After a brief discussion, *Council member Brown made a motion to nominate Mr. Jim Wall to fill the vacancy and term of Mr. Phillips, seconded by Council member Lambeth and approved unanimously by all Council members present.*

Business and Closing Comments from Mayor and Council

COUNCIL MEMBERS

Voter Registration

Council member Reddick advised Council and members of the audience that she had picked up voter registration forms for anyone who might need one. She also stated that she would leave some of these forms at City Hall for anyone who may need to pick one up.

Water Pipe Installation

Council member Reddick asked that information shared at the Pre-Agenda Meeting relating to the Davidson Water Project be shared again tonight since the news media was present. Presenting the information to the media is an effort to advise citizens on the status of the water pipe project being constructed by Davidson Water.

Mayor Shore stated that he had discussed the current status of this project with Mr. Gregg Stabler, Davidson Water. They have already started on County Line Road in Trinity. This project is scheduled for completion by April 2006.

MAYOR

Litter Sweep

Mayor Shore discussed the 2005 Litter Sweep Roadside Cleanup is scheduled from September 17, 2005 through October 01, 2005. Mr. Stumb will be coordinating this effort for Trinity.

Mr. Stumb advised Council and members of the audience to contact him if they or any group would like to participate in this program. Mr. Stumb provide the gloves, bags, and vests to be used in the clean up efforts.

Mendenhall/Surrett

Mayor Shore advised members that he had discussed problems with Manager Bailie brought to his attention by residents concerning visibility problems encountered at the Intersection of Mendenhall Road Extension and Surrett. The Manager or I will make contact with NC Department of Transportation to find out if anything can be done to remedy this problem.

Status Report from CMR

Mayor Shore advised members to review the status report for the CDBG project presented to Council members. This report lists the status of the project and items completed to date by CMR.

Trinity Football

Mayor Shore discussed a challenge made to Thomasville by him on behalf of the Trinity Bulldogs. Both the Mayor of Thomasville and I pooled our money to purchase a Mayor's Cup Trophy to be presented to the winner of the game between Thomasville and Trinity to be played on Friday night. The winner will get the cup to be displayed at the appropriate City Hall for one (1) year. Let's all hope the appropriate City Hall is Trinity.

GO DOGS!

Business from City Manager

Manager Bailie discussed the following items;

Agreement with Triad Council of Governments

Manager Bailie discussed the earlier agreement with the Triad Council of Governments concerning the amount approved for the Land Use Development Plan. It is my understanding that Council approved paying up to 10,000.00 for last year and that Phase 2 was agreed upon this year when the budget was adopted. Do you agree with this or do you want to make a motion to proceed with Phase 2.

It was the consensus of Council this expenditure was approved during the adoption of the Annual 05-06 Budget.

Phase 3

Manager Bailie advised Council that she received a telephone call late yesterday afternoon from Allen Hart. The USDA Rural Development has come up with the 5 million dollars (\$5,000,000.00) for Phase 3. We made the deadline for funding from their current budget. She asked for Council consensus to proceed.

Consensus of Council to proceed with Phase 3.

Newsletter

The Newsletter will go out around September 01, 2005. Some of the items that I plan to include are as follows:

- **Soliciting volunteers for the Land Use Committee, as well as, volunteers for the other positions that will expire in December 2005.**
- **City Haul- Dates for sometime in October for two consecutive weekends**
- **Progress of Sewer System**
- **Survey of residents to find out how they would like to see City property developed.**
- **Include the results from the last survey as to whether residents were willing to pay increased tax for law enforcement and trash and recyclable pickups.**
- **Brief information on CHRISTMAS IN TRINITY**

League of Municipality Memo

This memo relates to request from telephone companies to provide video programming but claim exemption from local franchises and paying franchise fees. This would greatly reduce local government's ability to regulate video programming. The League stated this was an attempt to make a major change in the law without any debate or discussion. The League is encouraging you to contact your senators and let them know we oppose this legislation. Manager Bailie asked to be advised if Council wished her to formally protest this action on behalf of the City.

Annual League Conference

This conference will take place on October 16, 2005 through October 18, 2005 in Hickory. If you need information please contact City Hall.

National League of Cities

This will be held in Charlotte December 06, 2005 through December 10, 2005. If you need information please contact City Hall.

Adjournment

Prior to adjournment, Mayor Shore read the Upcoming Meetings and Community Events. With no further business to discuss, Mayor Shore called for a motion to adjourn the August 16, 2005 Regular Meeting of the Trinity City Council.

Council member Ewings made a motion to adjourn the August 16, 2005 meeting. The motion was seconded by Council member Labonte and approved unanimously by all Council members present.